



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 13, 2012

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For 457 North Hope Avenue

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,803 and standard agreements relating to the approved subdivision at 457 North Hope Avenue, and authorize the City Engineer to record a recital document stating that the public improvements have been completed and that the previously recorded Land Development Agreement may be removed from the title document after the public improvements are complete.

DISCUSSION:

A Tentative Map for the subdivision located at 457 North Hope Avenue (Attachment 1), was conditionally approved on October 6, 2011 by adoption of the Planning Commission (PC) Conditions of Approval, Resolution Number 020-11 (Attachment 2). The project involves a 9-lot subdivision. As part of the project, the site has been annexed to the City of Santa Barbara on August 6, 2012 per recorded Instrument No. 2012-00511116.

Staff has reviewed the Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

In accordance with the PC approval, the Owner(s) (Attachment 3) have signed and submitted the Final Map and the required Agreements to the City, tracked under Public Works Permit Number PBW2012-00423. Council approval is required if Council agrees with the staff determination that the Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property* and the *Agreement for Land Development Improvement*.

The *Agreement Assigning Water Extraction Rights* does not require Council approval, and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

THE PARCEL/FINAL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Final Map Number 20,803 by the Planning Commission Conditions of Approval Resolution No. 020-11
 3. List of Owners/Trustees

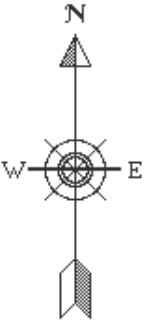
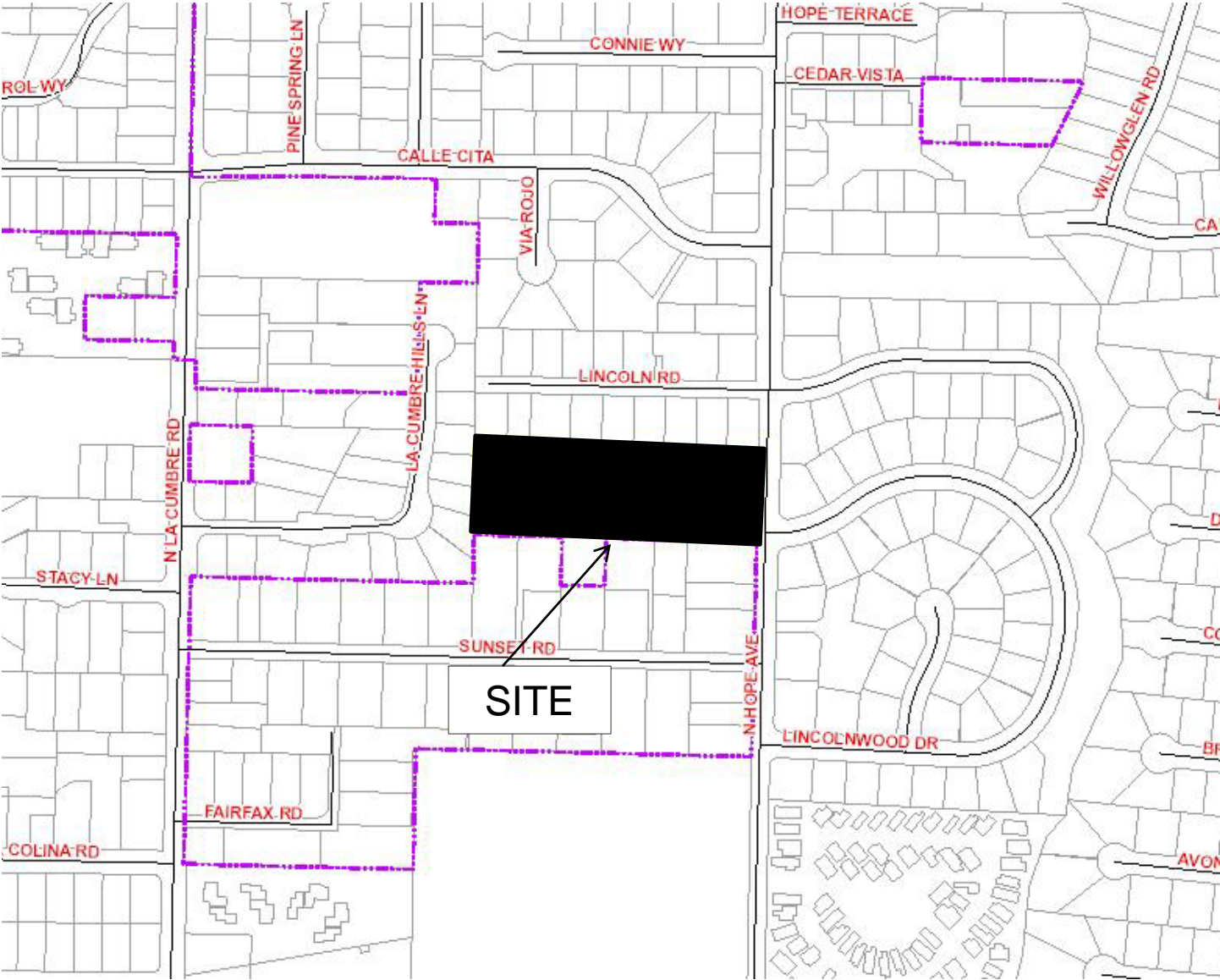
PREPARED BY: Mark Wilde, Supervising Civil Engineer/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map 457 North Hope Avenue



Not to Scale

CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,803 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION NO. 020-11

457 North Hope Avenue

Said approval is subject to the following conditions:

1. **Approved Development.** A nine lot subdivision of a 2.92 acre vacant parcel, currently located within the County of Santa Barbara's jurisdiction. The site would be annexed to the City of Santa Barbara and would be given a General Plan designation of Residential (5units/acre) and Zoning designation of Residential (E-3 - 7,500 square feet/lot). No structural development of the individual lots is proposed, but infrastructure serving all of the lots would be either constructed or bonded. The infrastructure includes, but is not limited to, new water lines, sewer lines, a public road and drainage improvements, which are shown on the Tentative Subdivision Map and signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Future Residential Development.** All future development on the property shall be subject to the following conditions:
 - a. All future construction shall comply with the applicable conditions of approval contained in Sections F. "Requirements Prior To Permit Issuance," G. "Construction Implementation Requirements," and H. "Prior to Certificate of Occupancy" of the Planning Commission resolution.
3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
4. **Private Drainage.** The Owner shall also provide drainage easements across the newly created lots to facilitate drainage.
5. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
6. **Landscape Plan Compliance.** The Homeowner(s) shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the Homeowner(s) are responsible for its immediate replacement.
7. **Storm Water Pollution Control and Drainage Systems Maintenance.** Homeowner(s) shall maintain the common drainage system and storm water pollution control devices as shown on the approved Tentative Map intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state as outlined in the private CC&R's (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual).

- a. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Home Owner(s) shall be responsible for any necessary repairs to the system and restoration of the eroded area.
 - b. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work.
 - c. The Homeowner(s) are responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
 - d. Drainage from individual detention basins on each lot, as depicted on the Tentative Map, shall not be impeded by neighboring parcels.
8. **Required Private Covenants (CC&R's).** The Owner shall record in the official records of Santa Barbara County private covenants or a similar agreement which, among other things, shall provide for all of the following:
- a. **Common Landscape Area Maintenance.** The Homeowners shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB) for the areas located between the northern property line and the new public right-of-way road easement, the detention basin within the center of the cul-de-sac and the detention basin located on Lot No. 1.
 - b. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
9. **Pesticide or Fertilizer Usage Near Drainage Facilities.** The use of pesticides or fertilizer shall be prohibited within the detention basin area located in the cul-de-sac, which drains directly into an offsite concrete V-ditch that leads to a natural water course as outlined in Municipal Code §16.15.

ATTACHMENT 3

LIST OF OWNERS
SB93110, Inc., A California Corporation

457 North Hope Avenue

Trudi G. Carey, President